



TFW 1714

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KELLER et al.

Serial No.: 10/575,018

Filed: April 6, 2006

Atty. File No.: 2584SG-3

For: "INSULATING ELEMENT FROM
MINERAL FIBERS FOR SHIPBUILDING"

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

) Group Art Unit:

)

) Examiner:

)

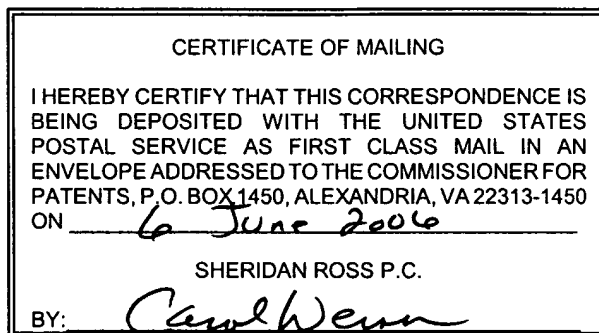
) Confirmation No.:

)

) REQUEST FOR CORRECTION OF
) NATIONAL PHASE FILING DATE

)

)



Dear Sir:

In connection with the filing of the above-identified U.S. patent application, Applicants hereby request that a filing date of April 6, 2006, be assigned to the above-referenced patent application. In support of this request, Applicants provide the following information.

This application was submitted to the U.S. Post Office on April 6, 2006, for transmittal via Express Mail No. EV 655367215 US. The Certificate of Mailing correctly reflects the filing date of April 6, 2006. The return receipt post card for this application incorrectly indicates a filing date of April 7, 2006. As a result, the U.S. Post Office erred in entering the Date Accepted as April 7, 2006, for this application, rather than its actual date of filing, via Express Mail, of April 6, 2006.

This application was filed at the same time as two other applications, such other applications receiving the correct filing date of April 6, 2006. Those applications are U.S. Serial No. 10/575,009, filed on April 6, 2006, Attorney Docket No. 2584SG-4 and U.S. Serial No. 10/574,987, filed on April 6, 2006, Attorney Docket No. 2584SG-6. Copies of the stamped return cards and Express Mail receipts for all three applications are attached to the accompanying Declaration of Carol Werner as Exhibits C and D. The Express Mail receipts for Application Nos. 10/575,009 and 10/574,987, were correctly filled out by the Post Office to indicate the date accepted of April 6, 2006 and the times the mailings were accepted (see Exhibit D of Ms. Werner's Declaration). Note that the Express Mail

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receipt for the present application (i.e. Serial No. 10/575,018) does not have a "Time Accepted" entry, which is unusual for normal Post Office procedure (see Exhibit A of Mr. Abeyta's Declaration). Additionally, the Postal Clerk did not provide a stamped receipt to the undersigned's representative for this Express Mail package.

The Declarations of Carol Werner, the Secretary who prepared this application for filing and who signed the Certificate of Mailing, and Eddie Abeyta, the Office Services employee who delivered the Express Mail packages to the Post Office, are enclosed herewith for the U.S. Patent & Trademark Office's consideration.

Applicants request that the Patent Office find that this national phase application was correctly filed on April 6, 2006, and to reflect that this application should have its proper initial filing date of April 6, 2006.

Undersigned counsel requests a telephone interview with the Examiner if there are any pending questions or concerns, so as to promptly address the present issue.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Joseph E. Kovarik
Registration No. 33,005
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 6/6/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re the Application of:

KELLER et al.

Serial No.: 10/575,018

Filed: April 6, 2006

Atty. File No.: 2584SG-3

For: "INSULATING ELEMENT FROM
MINERAL FIBERS FOR SHIPBUILDING"

) Group Art Unit:

)

) Examiner:

)

) Confirmation No.:

)

) DECLARATION OF CAROL WERNER IN

)

) SUPPORT OF REQUEST FOR

) CORRECTION OF NATIONAL PHASE

)

) FILING DATE

I hereby Declare as follows:

1. I am an employee of the lawfirm of Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, Colorado 80202. I have worked for Sheridan Ross since July 5, 2005, and my principle duties include assisting legal counsel at Sheridan Ross in the preparation and filing of patent applications received from foreign associates.
2. On or about April 6, 2006, I worked on the above-referenced application in order to effect a timely U.S. National Phase Patent Filing on April 6, 2006. I executed the Certificate of Mailing, attached hereto as Exhibit A.
3. In addition to the present patent application, I also prepared for filing two other patent applications, U.S. Serial No. 10/575,009, Attorney Docket No. 2584SG-4, and U.S. Serial No. 10/574,987, Attorney Docket No. 2584SG-6, both of which were also national phase filings for foreign associates. I similarly prepared and executed Certificates of Mailing with respect to such cases (see Exhibit B).
4. On April 6, 2006, I provided the above-referenced three patent applications with all requisite filing documents to Mr. Eddie Abeya, the Office Services employee at Sheridan Ross P.C. whose job responsibilities include delivery of Express Mail packages to the Post Office.
5. The Express Mail packages were sealed and given to Mr. Eddie Abeya, the Office Services Clerk, for attachment of postage and delivery to the U.S. Post Office.
6. Mr. Abeya returned from the post office with two of the three Express Mail receipts. The Express Mail Receipts Mr. Abeya returned to me were: EV 788583223 US, Attorney Docket No. 2584SG-4, assigned U.S. Serial No. 10/575,009; and EV 788583254 US, Attorney Docket No. 2584SG-6, assigned U.S. Serial No. 10/574,987.
7. The Express Mail receipt from Application Nos. 10/575,009 and 10/574,987 were correctly filled out by the Post Office to indicate the date of acceptance of April 6, 2006 (see

Exhibit C). Unfortunately, the return receipt post card for the present application (Serial No. 10/575,018, see Exhibit D) incorrectly reflected a filing date via Express Mail of April 7, 2006. Such application was, however, filed via Express Mail on April 6, 2006, along with the other two above-referenced patent applications, which properly received the correct filing date of April 6, 2006.

Date: June 6, 2006

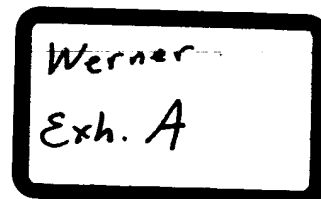
By: Carol Werner
Carol Werner

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TYPED OR PRINTED NAME: CAROL WERNER

SIGNATURE: *Carol Werner*



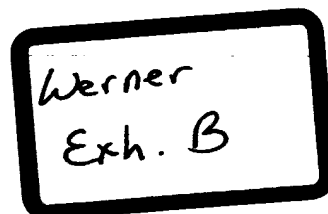
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Carol Werner



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2584SG-4 (SC)

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PTO Stamp indicates receipt of:

☒ Patent Matter ☐ Trademark Matter

Application Docket No.: 2584SG-4

Applicant: KELLER et al.

10/575009

Title or Mark: "INSULATING MATERIAL ELEMENT MADE OF MINERAL FIBER
FELT FOR CLAMPING-LIKE ASSEMBLY BETWEEN BEANS AND THE LIKE"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HERewith

16 # of Pages in Specification

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3 # of Pages in Claims

☒ Express Mail No.: EV 788583223 US

2 # of Sheets in Drawings

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Transmittal Letter (2 pgs); Certificate of Mailing (1 pg); English translation of
published application (19 pgs); figures (2 pgs); Application Data Sheet (7 pgs); First
Preliminary Amendment (6 pgs); IDS (3 pgs); Form 1449 (1 pg); References (7);
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Date Accepted 4/6/06 Mo. Day Year 6/22 <input type="checkbox"/> AM <input type="checkbox"/> PM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day Int'l Alpha Country Code	Return Receipt Fee \$ COD Fee \$ Insurance Fee \$ Total Postage & Fees \$ 13.80 Acceptance Emp. Initials	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
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10/574987

Date 4/6/06

PTO Stamp indicates receipt of: ☒ Patent Matter ☐ Trademark Matter

Application Docket No.: 2584SG-6

Applicant: BRUER et al **AP7 Rec'd PCT/PTO 06 APR 2006**

Title or Mark: "CLIMATE, RESPECTIVELY VENTILATION CHANNEL"

Serial/Reg. No.: NOT YET ASSIGNED

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Application Docket No.: 2584SG-3

Applicant: KELLER et al.

Title or Mark: "INSULATING ELEMENT FROM MINERAL FIBERS FOR SHIPBUILDING"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HEREWITH

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Time Accepted <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Flat Rate <input checked="" type="checkbox"/> or Weight	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$
lbs. ozs.	Int'l Alpha Country Code	Total Postage & Fees \$ 18.80
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Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left to secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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Werner
Exh. D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit:
)
KELLER et al.) Examiner:
)
Serial No.: 10/575,018) Confirmation No.:
)
Filed: April 6, 2006) <u>DECLARATION OF EDDIE ABEYTA IN</u>
) <u>SUPPORT OF REQUEST FOR</u>
Atty. File No.: 2584SG-3) <u>CORRECTION OF NATIONAL PHASE</u>
) <u>FILING DATE</u>
For: "INSULATING ELEMENT FROM MINERAL FIBERS FOR SHIPBUILDING"	

I hereby declare as follows:

1. I am a contract employee of the lawfirm of Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, Colorado 80202. I have worked for Sheridan Ross since July 2005, and my principle duties include affixing postage to outgoing mail and hand-delivering the Express Mail to the Post Office and brining back the signed receipts.
2. On or about April 6, 2006, in my normal course of duties, Ms. Carol Werner gave me Express Mail packages, which I delivered to the Post Office and brought the signed receipts back to Ms. Werner.
3. Upon being notified by Carol Werner that there was a problem with the Express Mail Package sent on April 6, 2006 for U.S. Serial No. 2584SG-3, I requested copies of the Express Mail receipts from the Post Office for all items sent on April 6 and 7, 2006. The Express Mail receipts for Application Nos. 10/575,009 and 10/574,987, are correctly filled out by the Post Office to indicate the date accepted of April 6, 2006 and the times the mailings were accepted (see Exhibit A). The Express Mail receipt for the present application (Serial No. 10/575,018) does not have a "Time Accepted" entry, which in my experience, is unusual for normal Post Office procedure (see Exhibit B).
4. I declare that I properly filed via Express Mail, U.S. Application Serial No. 10/575,018 on April 6, 2006. The filing date of April 7, 2006, is therefore in error.

Date: _____

6/6/06

By: _____


Eddie Abeyta



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Flat Rate <input type="checkbox"/> or Weight 1 lbs. 15 ozs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 18.80
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Application Docket No.: 2584SG-4

Applicant: KELLER et al.

Title or Mark: "INSULATING MATERIAL ELEMENT MADE OF MINERAL FIBER
FELT FOR CLAMPING-LIKE ASSEMBLY BETWEEN BEANS AND THE LIKE"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HERewith

16 # of Pages in Specification

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10/574987

Date 4/6/06

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Application Docket No.: 2584SG-6

Applicant: BRUER et al

AP7 Rec'd PCT/PTO 06 APR 2006

Title or Mark: "CLIMATE, RESPECTIVELY VENTILATION CHANNEL"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HERewith

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Initial: csw

Date 4/6/06

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 Application Docket No.: 2584SG-3
 Applicant: KELLER et al.
 Title or Mark: "INSULATING ELEMENT FROM MINERAL FIBERS FOR SHIPBUILDING"
 Serial/Reg. No.: NOT YET ASSIGNED
 Filed/Issued Date: HERewith

4075/5018

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Time Accepted <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Flat Rate <input checked="" type="checkbox"/> or Weight lbs. ozs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$
Int'l Alpha Country Code		Total Postage & Fees \$ 18.80
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